



**STATE OF HAWAII
DEPARTMENT OF HEALTH**

P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

**Testimony in SUPPORT of HB2514 HD1
RELATING TO UNDERGROUND STORAGE TANKS**

SENATOR JARRETT KEOHOKALOPE, CHAIR
SENATE COMMITTEE ON HEALTH
SENATOR MIKE GABBARD, CHAIR
SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

Hearing Date: 3/23/2022

Room Number: 225/Videoconference

1 **Fiscal Implications:** The fiscal implications of this measure are unknown at this time.

2 **Department Testimony:** The Department of Health supports the intent of this measure, to
3 protect the precious freshwater resources of our pae ‘āina.

4 We note that the bill will not only affect the 20 underground storage tanks (USTs) at Red
5 Hill Ridge, each with an approximate capacity of 12.5 million gallons, but also four other USTs,
6 each with an approximate capacity of 400,000 gallons (“surge tanks”), that are part of the Red
7 Hill UST system and are located makai of the underground injection control (UIC) line.

8 An alternative is the language in SB2600 SD2 (with amendments forthcoming from the
9 House Committees on Health, Human Services, & Homelessness and Energy & Environmental
10 Protection), establishing a date after which large capacity UST systems located mauka of the
11 UIC line may no longer operate.

12 We defer to the legislature on selecting the appropriate date.

13 **Offered Amendments:** None.

14 Thank you for the opportunity to testify on this measure.

DAVID Y. IGE
GOVERNOR OF
HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA
FIRST DEPUTY

M. KALEO MANUEL
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

**Testimony of
SUZANNE D. CASE
Chairperson**

**Before the Senate Committees on
HEALTH
and
AGRICULTURE AND ENVIRONMENT**

**Wednesday, March 23, 2022
1:00 PM**

State Capitol, Conference Room 225 & Videoconference

**In consideration of
HOUSE BILL 2514, HOUSE DRAFT 1
RELATING TO UNDERGROUND STORAGE TANKS**

House Bill 2514, House Draft 1 proposes to prohibit the operation of underground storage tanks with a capacity greater than 100,000 gallons. **The Department of Land and Natural Resources (Department) offers the following comments.**

The Department recognizes the risks of underground storage tanks containing hazardous material leaking and contaminating the surrounding area and possibly any underlying aquifer. Larger capacity underground storage tanks present a higher potential for larger leakage events. The risk of underground storage tanks must be balanced with the benefits provided, through regulatory measures.

Thank you for the opportunity to comment on this measure.

HB-2514-HD-1

Submitted on: 3/22/2022 9:28:47 AM

Testimony for HTH on 3/23/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Neal Fujii	Testifying for DLNR-CWRM	Comments	Remotely Via Zoom

Comments:

I am available for questions to DLNR. Please allow me Zoom access.

BOARD OF WATER SUPPLY

CITY AND COUNTY OF HONOLULU
630 SOUTH BERETANIA STREET
HONOLULU, HI 96843
www.boardofwatersupply.com



March 23, 2022

RICK BLANGIARDI, MAYOR

BRYAN P. ANDAYA, Chair
KAPUA SPROAT, Vice Chair
RAY C. SOON
MAX J. SWORD
NA'ALEHU ANTHONY

JADE T. BUTAY, Ex-Officio
DAWN B. SZEWCZYK, P.E., Ex-Officio

ERNEST Y. W. LAU, P.E.
Manager and Chief Engineer

ELLEN E. KITAMURA, P.E.
Deputy Manager and Chief Engineer

The Honorable Mike Gabbard, Chair
and Members
Committee on Agriculture & Environment
The Senate
Conference Room 224 & Videoconference
Honolulu, Hawaii 96813

Dear Chair Gabbard and Members:

Subject: House Bill 2514 HD1: Relating to Underground Storage Tanks

The Honolulu Board of Water Supply (BWS) supports the intent of House Bill (HB) 2514 House Draft (HD) 1.

This bill proposes to amend Hawaii Revised Statutes chapter 342L by adding a new section that prohibits underground storage tanks (USTs) greater than 100,000 gallons to operate from a date that is shown as blank in the bill. The BWS supports an effective date of January 1, 2023.

Thank you for your consideration of our testimony concerning HB 2514, HD1.

Very truly yours,



ERNEST Y. W. LAU, P.E.
Manager and Chief Engineer

LATE

Date 3/22/2022

To: Dignitaries Representative Yamane, Chair

Representative Tam, Vice Chair

House Committee on Health, Human Services, & Homelessness

Representative Lowen, Chair

Representative Marten, Vice Chair

House Committee on Energy and Environmental Protection

Re: HB 2514 HD1-relating to underground fuel storage tanks

1:00pm, March 23, 2022

From: Kimmer Horsen, Hawaii Pacific University, Graduate School of Social Work Candidate

Subject: Red Hill decommissioning of tanks, Underground Storage Tanks (UST)

This bill proposes amending Hawaii Revised Statutes Section 342L-32 to limit the maximum size of underground storage tanks (USTs) to one hundred thousand gallons or less. I support revising Hawaii's UST laws to prohibit enormous UST that have disproportionate potential to adversely impact Oahu's irreplaceable sole-source groundwater aquifer. The continued presence of such USTs poses an unacceptable risk to our critical drinking water resources.

However, the BWS also believes that Hawaii Revised Statutes Section 342L-32 provides the foundational standards for the design, construction, installation, upgrade, maintenance, repair, and operation of all USTs. The BWS recommends the bill amend HRS 342L to add a new section entitled "Maximum Tank Size," providing that: "No person shall operate an underground storage tank or tank system with a maximum capacity that exceeds one hundred thousand gallons."

There are a plethora of risk factors involved in these safety hazards. Please note that the fuel tanks have leaked 180,000 gallons of fuel to date since 1943. The steel liner is only ¼ inch thick and susceptible to corrosion. The tanks are within a 1.5-mile radius of three shafts and wells: Halawa, Moanalua, and the United States Navy. The tanks are currently superfluous.



'Ahahui o nā Kauka

677 Ala Moana Blvd., Suite 1015

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Phone 808.548.0270

E-mail huikauka@gmail.com

2021-2022 Advocacy Committee

*Noa Emmett Aluli, MD
President*

*Martina Kamaka, MD
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*H. Nalani Blaisdell-Brennan,
MD*

*Kapono Chong-Hanssen, MD
Advocacy Chair*

March 22, 2022

COMMITTEE ON HEALTH
Senator Jarrett Keohokalole, Chair
Senator Rosalyn H. Baker, Vice Chair

COMMITTEE ON AGRICULTURE AND ENVIRONMENT
Senator Mike Gabbard, Chair
Senator Clarence K. Nishihara, Vice Chair

Group Testimony in Support of HB2274HD2 & HB2514HD1

**RELATING TO UNDERGROUND FUEL STORAGE TANKS
&
RELATING TO UNDERGROUND STORAGE TANKS.**

Mōhala i ka wai ka maka o ka pua

“Unfolded by the water are the faces of flowers.”

Meaning: Flowers thrive where there is water, as thriving people are found where living conditions are good.

'Ahahui o nā Kauka (the Association of Native Hawaiian Physicians) calls for the urgent and permanent removal of the United States Navy's Bulk Fuel Storage Facility at Kapūkakī, commonly referred to as “Red Hill” in modern times. Safe drinking water is the foundation of health for all humans, and in Hawaiian culture carries even more significance as the base for our word for “wealth,” as our ancestors clearly knew people cannot thrive without safe water to nourish our bodies and the land. After decades of warnings about the danger posed by these leaking fuel tanks to sources of drinking water providing for an approximate 400,000 residents of by far the most populous of our islands, we are dismayed to see that this threat has been allowed to progress to this

fulminant crisis where both people and the land are being acutely poisoned by the Navy's persistent contamination at Kapūkakī.

The fuel storage facility at Kapūkakī was constructed by the United States Navy, at the time of the crisis of World War II, when its close proximity to a priceless aquifer could have been regarded as insignificant. Some of the liberties taken by the Navy in Hawai'i during this era may have been justified, but the ongoing disregard for our islands and people as little more than military assets since then has presented threats to our health that persist to this day. We are reminded of the 1965 detonation on Kaho'olawe meant to simulate a nuclear blast that cracked the cap rock and permanently destroyed a significant portion of the fresh water to the island, not to mention the continued threat of unexploded ordnance left by the Navy. More than 80 years after construction, it is time for the Navy to acknowledge the extraordinary threat its outdated, dilapidated fuel storage facility at Kapūkakī poses to our people, land, and ocean.

After over a century of hosting the US Navy's military interests, Hawai'i and its people deserve to be treated as more than military assets left to suffer the harms of infrastructure neglect. As Native Hawaiian physicians, we can no longer turn a blind eye to physical and mental health effects this facility poses to our patients and communities not only by contaminating a large portion of the water supply but also by destroying the faith people had in the safety of our water. We applaud the legislative efforts to address this imminent threat, and prevent the development of future dangerous fuel storage facilities.



Board Members

President
Jason Okuhama
Managing Partner,
Commercial & Business Lending

Secretary
Marcus Kawatachi
Deputy Director,
Hawai'i Civil Rights Commission

Trina Orimoto
Clinical & Research Psychologist

Derrick Kiyabu
Hawai'i Island Resident

Miwa Tamanaha
O'ahu Resident

Philip Garboden
Assistant Professor,
University of Hawai'i at Mānoa

HACBED Staff

Brent N. Kakesako
Executive Director

Merri Keli'ikuli
Office Manager & Program Support

Corin Thornberg
Project Associate

Date: March 21, 2022

To: Senator Jarrett Keohokalole & Senator Mike Gabbard, Chairs,
Senator Rosalyn H. Baker & Senator Clarence K. Nishihara, Vice-Chairs and
Members of the Committee on Health and Agriculture & Environment

From: Brent Kakesako, Hawai'i Alliance for Community-Based Economic
Development (HACBED)

Re: Support for HB 2514 HD 1 with amendments

Aloha e Chair Keohokalole & Chair Gabbard, Vice-Chair Baker & Vice-Chair
Nishihara, and Committee Members,

The Hawai'i Alliance for Community-Based Economic Development (HACBED) supports HB 2514 HD 1, with amendments, which prohibits the operation of underground storage tanks with a capacity greater than 100,000 gallons. We ask that the bill be amended with July 1, 2022, as the date after which no underground storage tank can be operated, except to defuel and decommission given the urgency of the situation and need to protect our water.

HACBED was established in 1992 as a nonprofit statewide intermediary to address social, economic, and environmental justice concerns through community-based economic development and asset building strategies. It advances its mission with core competencies in the areas of community and organizational capacity building, community and economic development planning, and asset policy development and advocacy. Water is life and core to livelihoods of families who call this place home and by extension broader place-based economic development. As such, HACBED supports the proposed bill with the previously mentioned amendments.

HB 2514 HD 1 and the requested amendments would protect what is remaining of our precious water and watersheds for this generation and the many future generations.

Mahalo for this opportunity to testify,

Brent N. Kakesako
Executive Director



Senate Committee on Health / Senate Committee on Agriculture and Environment

Wednesday, March 23rd, 2022, 1p.m. Conference Room 225

Hawai'i Alliance for Progressive Action Supports: HB2514 HD1

Aloha Chairs Keohokalole/Gabbard, Vice Chair Baker/Nishihara and Members of the Committee,

On behalf of the Hawai'i Alliance for Progressive Action (HAPA) I am submitting testimony in strong **support of HB2514 HD1**. HAPA is a state-wide organization that engages approximately 10,000 local residents annually.

Mahalo for hearing HB2514 HD1 to require the Department of Health to adopt the standard that all underground storage tanks not exceed a maximum capacity of 100,000 gallons.

HB2514 HD1 seeks to protect our islands' most precious resource from fuel contamination. The presence of leaky fuel tanks at Red Hill and the Navy's mismanagement of this crisis directly impacts the health and quality of life of Oahu's residents, and will continue to for generations to come. Some of our staff and many of our supporters are directly affected by this crisis. Our water is precious and we all have a duty to protect our islands' source of life for present and future generations.

Please amend the date of implementation of July 1, 2022 as the date after which no underground storage tank can be operated except to defuel and decommission.

The legislature must do all that it can to remove the threat of something far worse happening to our water supply, both now and for future generations to come. O'ahu's residents are facing a serious crisis which will continue for years. Board of Water Supply's Ernie Lau said that the Hālawā shaft – which was shut down as a precaution following the Navy's Red Hill well contamination – could be shut down for years, even permanently.

We cannot allow 80-year-old underground storage tanks that store up to 187 million gallons of fuel per day and that pose such an immense threat of leaking and contaminating our environment and water supply to operate 100 feet above O'ahu's sole-source drinking water aquifer.

Navy officials cannot be trusted to protect our water. They have lied time and time again. The following reasons explain why the legislature must act since the Navy has failed to:

- The Navy lied about an active leak at Pearl Harbor for months, discovering the leak in January 2021 but not informing Health Department officials until May. This was revealed in whistleblower emails and documents in October.
- A whistleblower also told the Department of Health in September that Navy officials provided false testimony and withheld information about the full extent of the Facility's infrastructure, including connected pipelines, as well as "historical records of corrosion issues, including holes in tanks" at its Red Hill fuel facility during legal proceedings.

The Hawai'i Alliance for Progressive Action (HAPA) is a public non-profit organization under Section 501(c)(3) of the Internal Revenue Code. HAPA's mission is to catalyze community empowerment and systemic change towards valuing 'aina (environment) and people ahead of corporate profit.

- The Navy suspended use of its Red Hill water shaft on November 28, but the public only found out on December 1. The Navy continues to confuse and gaslight community members.
- Hundreds of community members reported chemical smells in their water on November 28 and then health issues on November 29, which the Navy refused to acknowledge as a potential health concern until the state Department of Health advised residents to not drink the clearly contaminated water.
- A day after the Navy said it had detected diesel in its 'Aiea Hālawā well at levels more than double the DOH safety limit, the military backtracked, saying the contaminated sample "did not come directly" from the well and the Navy does not believe the result proves the well is contaminated.
- They continue to not be transparent despite agreeing to the Administrative Order of Consent, which requires them to be more forthcoming about operations at the Red Hill facility.
- The BWS Hālawā shaft will be shut down until fuel is removed from the tanks and may not reopen for years to come. This shaft was a source of water for South O'ahu from Hālawā to Maunāluā. The BWS has advised that mandatory water conservation measures will now need to be in place in the summer of 2022.
- The Navy "flushed" Red Hill contaminants for days in violation of Department of Health requirements despite repeated warnings. This risked long-lasting effects on birds, plants, fish, and other aquatic life from petroleum contamination

The Department of Health has agreed that the situation is inherently dangerous. DOH said that a water sample taken from the Red Hill drinking water shaft on December 5 confirmed the water is contaminated with "high levels" of petroleum and gasoline. The sample detected total petroleum hydrocarbons diesel range organics levels 350 times above the DOH Environmental Action Level (EAL) for drinking water, and gasoline range organics more than 66 times the DOH EAL.

The Red Hill facility – the fragile, antiquated fuel tanks and supporting systems – has a long history of leaking fuel into the surrounding environment and has already contaminated O'ahu's primary drinking water aquifer. Shutting down Red Hill immediately and entirely is the only way to guarantee the safety of our water and our people.

The Facility's tanks, each with a 12.5 million-gallon capacity, had a quarter-inch thick steel liner when first constructed nearly 80 years ago. They are encased in aging concrete and the steel liners have been corroding to the point where many through-wall holes have been found and in some areas they are one-third of their original thickness.

These tanks have leaked 180,000 gallons of fuel since they were constructed and the Navy's own risk assessment from 2018 concluded that the probability of an acute leak of between 1,000 and 30,000 gallons (independent of any earthquake risk) over the next ten years is 96%. The Navy cannot prove that the tank or tank system will not leak regulated substances into the environment.

Approximately 93,000 people living in military housing have been unable to use their water for over two months. If the Navy water system is further compromised, our housing crisis will mushroom.

Lower levels of petroleum products were also found in samples collected from the Aliamanu Child Development Center as well as homes located on the Navy's water system.

It's absolutely critical that the State Legislature take action immediately to address this major threat to Honolulu's water supply.

Please pass HB2514 HD1 with an amended date of implementation of July 1, 2022 as the date after which no underground storage tank can be operated except to defuel and decommission.

Mahalo for your consideration,

A handwritten signature in black ink, appearing to read "Anne Frederick", with a stylized, cursive script.

Anne Frederick
Executive Director



KO'OLAU WAIALUA
ALLIANCE

Dear Chair Keohokalole, Chair Gabbard, Vice Chair Baker, Vice Chair Nishihara, and members of the Senate Health and Agriculture and Environment Committees,

We SUPPORT WITH AMENDMENTS HB2514 HD1, which seeks to protect our islands' most precious resource from potentially catastrophic contamination. Our water is precious and we all have a duty to protect our islands' source of life for present and future generations.

While the Pentagon has agreed that Red Hill must be shut down, our water is still in harm's way, the Navy still refuses to withdraw its legal fight against the emergency order to defuel the Red Hill Facility, and we must therefore continue to make clear that we will never allow the Red Hill facility or anything like it to threaten our islands' most precious resource ever again.

To ensure that our water is protected in as timely a manner as possible, **please amend HB2514 HD2 to specify that the operation of large-capacity underground storage tanks be prohibited as of July 1, 2022.**

Mahalo,

The Ko'olau Waialua Alliance

koolauwaialuaalliance@protonmail.com

The Ko'olau Waialua Alliance is a grassroots network of residents and community groups across Oahu's north and windward shores that believes that our health and well-being are woven together in the same cloth, that problems affecting one community in the region threaten us all, and that works to foster a just and sustainable region for current and future generations.



2022
Board of
Directors

March 21, 2022

Elizabeth Reilly
President

Hawaii Senate
Committee on Health / Committee on Agriculture and Environment
Meeting on March 23, 2022 at 1 p.m.

Allen Tateishi
Vice President

Conference Room 225 & Videoconference

Dianne Gleis
Secretary

RE: **Strong support and suggested amendment for HB2514**

Marian Grey
Treasurer

Aloha Chair Keohokalole, Chair Gabbard, Vice Chair Baker, Vice Chair Nishihara, and HTH/AEN
Committee Members,

Dean Takebayashi
Director

As you can glean from our name, Livable Hawaii Kai Hui is deeply concerned with the continuous
threat posed by the Red Hill fuel tanks to our shared aquifer. This is why we **strongly support**
HB2514 regarding such underground storage tanks (UST).

Gary Weller
Director

It is of utmost importance that we pass this Bill as part of a series of measures at all levels of
government to address the Red Hill water crisis and prevent others like it.

Kendrick Chang
Community Outreach
Coordinator

Still, while we support this latest draft, the Hui respectfully suggests that a **hard deadline be set for
no later than December 31, 2023**. This leaves plenty of time for a cooperative U.S. Navy to get their
affairs in order. Anything more is simply providing more time for inaction and potential danger. Given
the Pentagon's agreement to shut down Red Hill, the requested deadline is more than reasonable.

Dylan Ramos
Communications &
Operations

The events of the past few months – let alone the 70+ years since the first *documented* leak at Red
Hill – have opened our eyes to the ever-clearer threat to our precious water resources. What does it
say about our situation when the poisoning of nearly 100,000 people's water isn't even close to the
worst case scenario? Every second that we don't do anything brings us closer to certain catastrophic
failure. This is not hyperbole, it is what the Navy's own studies have indicated.

Website

www.hawaiikaihui.org
www.kaiwicoast.org

Thank you for hearing this Bill, strengthening it, and passing it on for House approval. While it may not
be a cure-all, this and other efforts on the County and Federal level will be critical for ensuring a
livable future for all living things on this island, and hopefully set a worldwide precedent.

Like us on Facebook
Livable Hawaii Kai Hui
Aloha Aina O Kamilo Nui
Ka Iwi Coast

Mahalo,

Livable Hawaii Kai Hui is a
501(c)(3) non-profit,
community organization
serving East Honolulu
since 2004. We strive to
promote sensible growth,
respect for cultural &
natural resources, and
upholding the integrity of
the East Honolulu
Sustainable Communities
Plan.

Elizabeth Reilly
Founder/President

Dylan Ramos
Communications & Operations



SIERRA CLUB OF HAWAI'I

SENATE COMMITTEE ON HEALTH
SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

March 23, 2022

1:00 PM

Conference Room 225

In **SUPPORT WITH AMENDMENTS** of **HB2514 HD1**: Relating to Underground Storage Tanks

Aloha Chair Keohokalole, Chair Gabbard, Vice Chair Baker, Vice Chair Nishihara, and members of the Health and Agriculture and Environment Committees,

The Sierra Club of Hawai'i **supports with amendments** HB2514 HD1, which has the potential to help prevent the catastrophic contamination of our groundwater aquifers from extremely large-capacity underground storage tank facilities.

The concept of “ola i ka wai” – that water is life – has been understood by the people of Hawai'i since time immemorial. Unfortunately, this concept has not been fully appreciated in historical decisions that have allowed for the installation of large underground storage tank facilities in close proximity to the groundwater aquifer that our environment and people have always depended upon. Tragically, due to these historic decisions, we have already witnessed the contamination of our islands' precious wai.

Accordingly, the Sierra Club supports this bill as a means to ensure that we do not repeat the mistakes of the past, in prohibiting the operation of massive underground fuel storage tanks and facilities that may pose an inherent risk to our water and our ways of life here in Hawai'i.

To ensure that the protections of this measure are put in place in a timely manner and before any further contamination occurs, the Sierra Club respectfully urges amending the language found on page 1, line 5, to read as follows:

prohibited. Beginning on July 1, 2022, the operation of an

Therefore, the Sierra Club of Hawai'i respectfully urges the Committees to **PASS WITH AMENDMENTS** HB2514 HD1. Thank you very much for this opportunity to testify.



To: The Senate Committee on Health (HTH)
and
The Senate Committee on Agriculture and Environment (AEN)
From: Sherry Pollack, Co-Founder, 350Hawaii.org
Date: Wednesday, March 23, 2022, 1:00pm

In strong support of HB2514 HD1 with amendments

Aloha Chair Keohokalole, Chair Gabbard, Vice Chair Baker, Vice Chair Nishihara, and members of the HTH and AEN committees,

I am Co-Founder of the Hawaii chapter of 350.org, the largest international organization dedicated to fighting climate change. 350Hawaii.org **strongly supports with amendments** this measure which prohibits the operation of underground storage tanks with a capacity greater than 100,000 gallons.

Hawaii's drinking water supply is already at risk due to the effects of climate change. All the more reason to ensure we take great care in protecting our aquifer from fuel contamination, or any other source of pollution, keeping it safe for current and future generations. With recent tragic events, we have had a glimpse into what it means to lack access to safe, fresh drinking water as we have witnessed the tragic suffering of families who are users of the Navy's Red Hill drinking water well and who have been struggling with a water contamination crisis. We welcome legislation that will lead to the **permanent defueling and closure of the Red Hill Bulk Fuel Storage Facility** that currently threatens Oahu's primary drinking water supply.

While the Pentagon has agreed that Red Hill must be shut down, their words ring hollow as the Navy still refuses to withdraw its legal fight against the emergency order to defuel the Red Hill Facility. To be clear, the threat to our water is imminent and we can no longer wait to take decisive action to protect our sole-source aquifer from further contamination. Therefore, we urge you to amend the measure by **implementing July 1, 2022** as the date after which no underground storage tank can be operated, except to defuel and decommission.

Our water is precious and we all have a duty to protect our islands' source of life for present and future generations. It's passed time to remove the threat of something far worse happening to our water supply.

Please **PASS** HB2514 HD1 with the above amendment.

Thank you for the opportunity to testify on this very important bill.
Sherry Pollack
Co-Founder, 350Hawaii.org

HB-2514-HD-1

Submitted on: 3/18/2022 4:45:22 PM

Testimony for HTH on 3/23/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dana Keawe	Individual	Support	Written Testimony Only

Comments:

Support

HB-2514-HD-1

Submitted on: 3/20/2022 11:26:30 PM

Testimony for HTH on 3/23/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jonah Bobilin	Individual	Support	Written Testimony Only

Comments:

Aloha Members of the Senate Committees on Health and on Agriculture and Environment,

My name is Jonah Bobilin, and I am a resident and constituent from Pearl City. I am writing in strong support of HB 2514. We must protect the water of Hawai‘i from the possibility of future fuel spills.

This bill will make substantial progress in helping to prevent future environmental disasters like the Kapūkakī (Red Hill) fuel leak.

Ola I Ka Wai.

Mahalo,

Jonah Bobilin

HB-2514-HD-1

Submitted on: 3/21/2022 12:32:25 PM

Testimony for HTH on 3/23/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
I. Robert Nehmad	Individual	Support	Written Testimony Only

Comments:

My name is I Robert Nehmad and I reside in Honolulu.

It is imperative that we protect all sources of water in the State of Hawaii.

Mahalo

HB-2514-HD-1

Submitted on: 3/21/2022 1:16:11 PM

Testimony for HTH on 3/23/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Breanna Agas	Individual	Support	Written Testimony Only

Comments:

Dear Chair Keohokalole, Chair Gabbard, Vice Chair Baker, Vice Chair Nishihara, and members of the Senate Health and Agriculture and Environment Committees,

I SUPPORT WITH AMENDMENTS HB2514 HD1, which seeks to protect our islands' most precious resource from potentially catastrophic contamination. Our water is precious and we all have a duty to protect our islands' source of life for present and future generations.

While the Pentagon has agreed that Red Hill must be shut down, our water is still in harm's way, the Navy still refuses to withdraw its legal fight against the emergency order to defuel the Red Hill Facility, and we must therefore continue to make clear that we will never allow the Red Hill facility or anything like it to threaten our islands' most precious resource ever again.

To ensure that our water is protected in as timely a manner as possible, please amend HB2514 HD2 to specify that the operation of large-capacity underground storage tanks be prohibited as of July 1, 2022.

Accordingly, I respectfully urge your Committees to **PASS WITH AMENDMENTS** HB2514 HD1.

Sincerely,

Breanna Komata Agas

HB-2514-HD-1

Submitted on: 3/21/2022 1:30:34 PM

Testimony for HTH on 3/23/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
B.A. McClintock	Individual	Support	Written Testimony Only

Comments:

Please SUPPORT WITH AMENDMENTS HB2514 HD1, which seeks to protect our islands' most precious resource from potentially catastrophic contamination. Our water is precious and we all have a duty to protect our islands' source of life for present and future generations.

While the Pentagon has agreed that Red Hill must be shut down, our water is still in harm's way, the Navy still refuses to withdraw its legal fight against the emergency order to defuel the Red Hill Facility, and we must therefore continue to make clear that we will never allow the Red Hill facility or anything like it to threaten our islands' most precious resource ever again.

To ensure that our water is protected in as timely a manner as possible, please amend HB2514 HD2 to specify that the operation of large-capacity underground storage tanks be prohibited as of [July 1, 2022](#).

Accordingly, I respectfully urge your Committees to **PASS WITH AMENDMENTS HB2514 HD1**.

HB-2514-HD-1

Submitted on: 3/21/2022 1:37:53 PM

Testimony for HTH on 3/23/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
tlaloc tokuda	Individual	Support	Written Testimony Only

Comments:

Aloha HTH/AEN Chairs, Vice Chairs and Committee,

I support HB2514 HD1 because the bill with amendments, will protect our drinking water aquifers from Red Hill, and will inform the Navy that they can't endanger our aquifer. We will take back control of our water.

While the Pentagon has agreed that Red Hill must be shut down, our water is still in harm's way, the Navy still refuses to withdraw its legal fight against the emergency order to defuel the Red Hill Facility, and we must therefore continue to make clear that we will never allow the Red Hill facility or anything like it to threaten our islands' most precious resource ever again.

To ensure that our water is protected in as timely a manner as possible, please amend HB2514 HD2 to specify that the operation of large-capacity underground storage tanks be prohibited as of July 1, 2022.

*Accordingly, I respectfully urge your Committees to **PASS WITH AMENDMENTS** HB2514 HD1.*

Mahalo for your consideration,

Tlaloc Tokuda

Kailua Kona HI 96740

HB-2514-HD-1

Submitted on: 3/21/2022 1:52:50 PM

Testimony for HTH on 3/23/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Hannalore Aiwohi	Individual	Support	Written Testimony Only

Comments:

Hello, my name is Hannalore Aiwohi, a resident of Haleiwa, HI. I support HB2514 to prohibit underground storage tanks beyond 100K gallons. Please defuel Red Hil now and prevent this from ever happening again. Contamination of our water system would be catastrophic. We must make it clear that neither Red Hill nor anything like it in the future can threaten our precious water. Thank you.

HB-2514-HD-1

Submitted on: 3/21/2022 2:09:47 PM

Testimony for HTH on 3/23/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Constance Keoahunui Uale Warrington	Individual	Support	Written Testimony Only

Comments:

Dear Chair Keohokalole, Chair Gabbard, Vice Chair Baker, Vice Chair Nishihara, and members of the Senate Health and Agriculture and Environment Committees,

I write in support of HB2514 HD1 WITH amendments as it seeks to protect our Islands' most precious resource from potentially catastrophic contamination. Our water is precious, is our very source of Life and we must protect it. I must, we must do everything in our power to protect our water resources for life now and generations to come.

While the Pentagon has agreed that Red Hill must be shut down, our water is still in harm's way, the Navy still refuses to withdraw its legal fight against the emergency order to defuel the Red Hill Facility, and we must therefore continue to make clear that we will never allow the Red Hill facility or anything like it to threaten our islands' most precious resource ever again.

To ensure that our water is protected in as timely a manner as possible, please amend HB2514 HD2 to specify that the operation of large-capacity underground storage tanks be prohibited as of July 1, 2022.

*Accordingly, I respectfully urge your Committees to **PASS WITH AMENDMENTS HB2514 HD1.***

Sincerely,

Constance Keoahunui Uale Warrington

HB-2514-HD-1

Submitted on: 3/21/2022 2:38:05 PM

Testimony for HTH on 3/23/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Alyssandra Rousseve	Individual	Support	Written Testimony Only

Comments:

Dear Chair Yamane, Chair Lowen, Vice Chair Tam, Vice Chair Marten, and members of the House Health, Human Services, & Homelessness and Energy and Environmental Protection Committees,

I SUPPORT HB2514, which seeks to protect our islands' most precious resource from fuel contamination. Our water is precious and we all have a duty to protect our islands' source of life for present and future generations. We have already seen the devastating impacts that water contamination from leaky underground storage tanks may have on people and the environment, with additional effects likely to ripple across our island over the summer and into the foreseeable future. The legislature must do all that it can to remove the threat of something far worse happening to our water supply, both now and for future generations to come. Accordingly, I respectfully urge you to PASS HB2514.

Mahalo nui for the opportunity to testify,

Alyssandra Rousseve

HB-2514-HD-1

Submitted on: 3/21/2022 2:41:49 PM

Testimony for HTH on 3/23/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Millicent Cox	Individual	Support	Written Testimony Only

Comments:

I SUPPORT WITH AMENDMENTS HB2514 HD1, which seeks to protect our islands' most precious resource from potentially catastrophic contamination. Our water is precious and we all have a duty to protect our islands' source of life for present and future generations.

HB-2514-HD-1

Submitted on: 3/21/2022 3:36:40 PM

Testimony for HTH on 3/23/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Denise Boisvert	Individual	Support	Written Testimony Only

Comments:

I FULLY SUPPORT HB2514 HD1; thank you in advance for considering its successful passage.

HB-2514-HD-1

Submitted on: 3/21/2022 3:41:26 PM

Testimony for HTH on 3/23/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kim Jorgensen	Individual	Support	Written Testimony Only

Comments:

I am submitting testimony in FULL SUPPORT of HB2514 HD1.

HB-2514-HD-1

Submitted on: 3/21/2022 4:17:20 PM

Testimony for HTH on 3/23/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
William Reese Liggett	Individual	Support	Written Testimony Only

Comments:

For HB2514 HD1:

Dear Chair Keohokalole, Chair Gabbard, Vice Chair Baker, Vice Chair Nishihara, and members of the Senate Health and Agriculture and Environment Committees,

I SUPPORT WITH AMENDMENTS HB2514 HD1, which seeks to protect our islands' most precious resource from potentially catastrophic contamination. Our water is precious and we all have a duty to protect our islands' source of life for present and future generations.

While the Pentagon has agreed that Red Hill must be shut down, our water is still in harm's way, the Navy still refuses to withdraw its legal fight against the emergency order to defuel the Red Hill Facility, and we must therefore continue to make clear that we will never allow the Red Hill facility or anything like it to threaten our islands' most precious resource ever again.

To ensure that our water is protected in as timely a manner as possible, please amend HB2514 HD2 to specify that the operation of large-capacity underground storage tanks be prohibited as of July 1, 2022.

*Accordingly, I respectfully urge your Committees to **PASS WITH AMENDMENTS HB2514 HD1.***

William Reese Liggett

HB-2514-HD-1

Submitted on: 3/21/2022 5:38:11 PM

Testimony for HTH on 3/23/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Andrea Quinn	Individual	Support	Written Testimony Only

Comments:

Dear Honorable Committee Members:

Please support HB2514.

Thank you for the opportunity to present my testimony.

Andrea Quinn

Kihei, Maui

HB-2514-HD-1

Submitted on: 3/21/2022 7:56:05 PM

Testimony for HTH on 3/23/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Shannon Rudolph	Individual	Support	Written Testimony Only

Comments:

Support

March 23, 2022

Senator Jarrett Keohokalolo, Chair
Committee on Health
Senator Mike Gabbard, Chair
Committee on Agriculture and Environment

RE: HB2514, HD1, Relating to Underground Storage Tanks

Dear Chair Keohokalolo ,Vice Chair Baker, and Members of the Committee on Health, and Chair Gabbard, Vice Chair Nishihara, and Members of the Committee on Agriculture and Environment,

I SUPPORT HB2514, HD, which includes critical measures to help protect our islands' most precious resource from fuel contamination now and in the future. In our fragile island ecosystem, water is an especially valuable resource. We all have the responsibility to effectively protect our islands' source of life for present and future generations.

Please PASS HB2514, HD1.

Thank you for the opportunity to testify.

A handwritten signature in black ink, appearing to read "Therese M. Argoud". The signature is fluid and cursive, with a large initial "T" and "A".

Therese M. Argoud, MPH
3314 Woodlawn Dr.
Honolulu, HI 96822

HB-2514-HD-1

Submitted on: 3/22/2022 12:51:03 AM

Testimony for HTH on 3/23/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Danielle Espiritu	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Keohokalole, Chair Gabbard, Vice Chair Baker, Vice Chair Nishihara, and members of the Senate Health and Agriculture and Environment Committees,

I SUPPORT WITH AMENDMENTS HB2514 HD1, which seeks to protect our islands' most precious resource from potentially catastrophic contamination. Our water is precious and we all have a duty to protect our islands' source of life for present and future generations.

While the Pentagon has agreed that Red Hill must be shut down, our water is still in harm's way. The Navy still refuses to withdraw its legal fight against the emergency order to defuel the Red Hill Facility, and we must therefore continue to make clear that we will never allow the Red Hill facility or anything like it to threaten our islands' most precious resource ever again.

To ensure that our water is protected in as timely a manner as possible, please amend HB2514 HD2 to specify that the operation of large-capacity underground storage tanks be prohibited as of July 1, 2022.

Accordingly, I respectfully urge your Committees to PASS WITH AMENDMENTS HB2514 HD1.

ke aloha,

Danielle Espiritu

Waimalu, 'Ewa, O'ahu



Our kuleana is to protect Hawai'i's natural resources, mitigating and adapting to climate change and ensuring justice for ka pae 'āina Hawai'i. Kuleana has many meanings including responsible or to be responsible for. Ka pae 'āina Hawai'i as it is directly translated refers to the Hawaiian archipelago. In a deeper sense it refers to the Hawaiian Islands as a collective people who also have a responsibility to each other and to the 'āina of Hawai'i and all its natural resources.

Committee on Health and Committee on Agriculture and Environment
March 23rd, 2022, 1:00 pm Video conference
HB2514 HD1- RELATING TO UNDERGROUND STORAGE TANKS
Environmental Justice Task Force, Faith Action for Community Equity

POSITION: Support

Aloha Chair Jarrett Keohokalole, Vice Chair Rosalyn Baker, Chair Mike Gabbard, Vice Chair Clarence Nishihara, and Members of the Senate Committees on Health and Agriculture and Environment:

The Environmental Justice Task Force strongly supports HB2514 HD1, which prohibits the operation of underground storage tanks with a capacity greater than 100,000 gallons.

We all have a sacred duty to protect our islands' source of life for present and future generations. The Red Hill facility has a long history of leaking fuel into the surrounding environment and contaminating O'ahu's primary drinking water aquifer, endangering the lives of thousands. Ending operations of the Red Hill facility immediately and preventing future large underground storage tanks from being constructed is necessary to guarantee the safety of our water and our people.

Accordingly, we appreciate and support this bill as a means to ensure that future state decision-making does not repeat the mistakes of the past in allowing for the installation and operation of large underground fuel storage tanks with a capacity greater than 100,000 gallons. We respectfully urge you to PASS HB2514 HD1.

Mahalo nui for the opportunity to testify,

Susan Gorman-Chang
Chair, Environmental Justice Task Force
Faith Action for Community Equity

HB-2514-HD-1

Submitted on: 3/22/2022 6:44:42 AM

Testimony for HTH on 3/23/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Pua Auyong-White	Individual	Support	Written Testimony Only

Comments:

HB2514 HD1:

Dear Chair Keohokalole, Chair Gabbard, Vice Chair Baker, Vice Chair Nishihara, and members of the Senate Health and Agriculture and Environment Committees,

I SUPPORT WITH AMENDMENTS HB2514 HD1, which seeks to protect our islands' most precious resource from potentially catastrophic contamination. Our water is precious and we all have a duty to protect our islands' source of life for present and future generations.

While the Pentagon has agreed that Red Hill must be shut down, our water is still in harm's way, the Navy still refuses to withdraw its legal fight against the emergency order to defuel the Red Hill Facility, and we must therefore continue to make clear that we will never allow the Red Hill facility or anything like it to threaten our islands' most precious resource ever again.

To ensure that our water is protected in as timely a manner as possible, please amend HB2514 HD2 to specify that the operation of large-capacity underground storage tanks be prohibited as of July 1, 2022.

*Accordingly, I respectfully urge your Committees to **PASS WITH AMENDMENTS HB2514 HD1.***

Regards:

Pua Auyong-White

3432 B2 Kalihi Street

Honolulu, HI 96819



'Ahahui o nā Kauka

677 Ala Moana Blvd., Suite 1015

Honolulu HI 96813

Phone 808.548.0270

E-mail huikauka@gmail.com

2021-2022 Advocacy Committee

*Noa Emmett Aluli, MD
President*

*Martina Kamaka, MD
Vice-President*

*Kara Wong Ramsey, MD
Treasurer*

*H. Nalani Blaisdell-Brennan,
MD*

*Kapono Chong-Hanssen, MD
Advocacy Chair*

March 22, 2022

COMMITTEE ON HEALTH
Senator Jarrett Keohokalole, Chair
Senator Rosalyn H. Baker, Vice Chair

COMMITTEE ON AGRICULTURE AND ENVIRONMENT
Senator Mike Gabbard, Chair
Senator Clarence K. Nishihara, Vice Chair

Group Testimony in Support of HB2274HD2 & HB2514HD1

**RELATING TO UNDERGROUND FUEL STORAGE TANKS
&**

RELATING TO UNDERGROUND STORAGE TANKS.

Mōhala i ka wai ka maka o ka pua

“Unfolded by the water are the faces of flowers.”

Meaning: Flowers thrive where there is water, as thriving people are found where living conditions are good.

'Ahahui o nā Kauka (the Association of Native Hawaiian Physicians) calls for the urgent and permanent removal of the United States Navy's Bulk Fuel Storage Facility at Kapūkakī, commonly referred to as “Red Hill” in modern times. Safe drinking water is the foundation of health for all humans, and in Hawaiian culture carries even more significance as the base for our word for “wealth,” as our ancestors clearly knew people cannot thrive without safe water to nourish our bodies and the land. After decades of warnings about the danger posed by these leaking fuel tanks to sources of drinking water providing for an approximate 400,000 residents of by far the most populous of our islands, we are dismayed to see that this threat has been allowed to progress to this

fulminant crisis where both people and the land are being acutely poisoned by the Navy's persistent contamination at Kapūkakī.

The fuel storage facility at Kapūkakī was constructed by the United States Navy, at the time of the crisis of World War II, when its close proximity to a priceless aquifer could have been regarded as insignificant. Some of the liberties taken by the Navy in Hawai'i during this era may have been justified, but the ongoing disregard for our islands and people as little more than military assets since then has presented threats to our health that persist to this day. We are reminded of the 1965 detonation on Kaho'olawe meant to simulate a nuclear blast that cracked the cap rock and permanently destroyed a significant portion of the fresh water to the island, not to mention the continued threat of unexploded ordnance left by the Navy. More than 80 years after construction, it is time for the Navy to acknowledge the extraordinary threat its outdated, dilapidated fuel storage facility at Kapūkakī poses to our people, land, and ocean.

After over a century of hosting the US Navy's military interests, Hawai'i and its people deserve to be treated as more than military assets left to suffer the harms of infrastructure neglect. As Native Hawaiian physicians, we can no longer turn a blind eye to physical and mental health effects this facility poses to our patients and communities not only by contaminating a large portion of the water supply but also by destroying the faith people had in the safety of our water. We applaud the legislative efforts to address this imminent threat, and prevent the development of future dangerous fuel storage facilities.

LATE

HB-2514-HD-1

Submitted on: 3/22/2022 1:47:53 PM

Testimony for HTH on 3/23/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Susan Pcola_Davis	Individual	Support	Written Testimony Only

Comments:

HB2514

Comments:

I support this bill

1. January 31, 2021 The Board of Water Supply formally requested that the Hawaii Department of health revisit its environmental Action Levels (EAL)s Total Petroleum Hydrocarbon Middle Distillate Fraction (TPH-D). This request referred to the Department of Health's raising the allowable micrograms per liter from it's earlier level. Currently it is 211 micrograms per liter as the continued testing goes on in the Red Hill Underground Storage Tank Fuel leak.

In November 2017, the Department of Health increased the TPH-d water health-based EAL from 160 micrograms per liter to 400 and increased its TPH-d taste and odor EAL from 100 to 500.

The Department of Health is now using a more conservative EAL of 200. However, recently was increased to 211 of which caused mistrust by the tenants of the units. Whether or not it is true, it appeared that raising the number to 211 would eliminate any samples that were between 200 – 210. Reluctantly, tenants are moving back in as all 19 zones were cleared. 19 zones just shows how impactful a leak can be. If anyone has looked at the map that covers all the zones, you could overlay it on top of Oahu and see just how catastrophic a leak could be into our water supply.

I just wonder what this committee would accept as an amount of parts per billion of Jet Diesel Fuel (JP-5 or JP-8) they would accept in their water. The Red Hill tanks also contained marine fuel.

I agree with the BWS that Hawaii Revised Statutes Section 342L-32 add a new section entitled providing that:

- (1) "No person shall operate an underground storage tank or tank system with a maximum capacity that exceeds one hundred thousand gallons."

Another version

(2) Large capacity underground storage tanks prohibited. Beginning 1 June 2002 the operation of an underground storage tank with a capacity greater than 100,000 gallons shall be prohibited."

It really must be passed regardless of any promises made by other entities that the fuel will be drained or that the facility will be closed. Sometimes you have to force their hands.

LATE

HB-2514-HD-1

Submitted on: 3/22/2022 4:52:35 PM

Testimony for HTH on 3/23/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Doris Segal Matsunaga	Individual	Support	Written Testimony Only

Comments:

Dear Chair Keohokalole, Chair Gabbard, Vice Chair Baker, Vice Chair Nishihara, and members of the Senate Health and Agriculture and Environment Committees,

I SUPPORT WITH AMENDMENTS HB2514 HD1, which seeks to protect our islands' most precious resource from potentially catastrophic contamination. Our water is precious and we all have a duty to protect our islands' source of life for present and future generations.

While the Pentagon has agreed that Red Hill must be shut down, our water is still in harm's way, the Navy still refuses to withdraw its legal fight against the emergency order to defuel the Red Hill Facility, and we must therefore continue to make clear that we will never allow the Red Hill facility or anything like it to threaten our islands' most precious resource ever again.

To ensure that our water is protected in as timely a manner as possible, please amend HB2514 HD2 to specify that the operation of large-capacity underground storage tanks be prohibited as of July 1, 2022.

*Accordingly, I respectfully urge your Committees to **PASS WITH AMENDMENTS HB2514 HD1.***